

24-SW-03047-WJE
AFFIDAVIT
of
ROBERT MILLIER
SPECIAL AGENT
BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES

I, Robert Millier, being first duly sworn, do hereby depose and state:

1. I am a Special Agent (“SA”) with the United States Bureau of Alcohol, Tobacco, Firearms & Explosives (“ATF”) and have been employed in such capacity since September 2016. As a Special Agent with the ATF, I am a law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), and am empowered to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 3051. Furthermore, I am currently assigned to the ATF Jefferson City Satellite Office.

2. While with ATF, I have participated in the following firearm investigations: the possession of firearms by felons and other prohibited persons, in violation of Title 18, United States Code, Section 922(g); the acquisition of firearms by persons who are under indictment for a crime punishable by imprisonment for a term exceeding one year in violation of Title 18, United States Code, Section 922(n); and engaging in the business of dealing in firearms without being a licensed dealer, in violation of Title 18, United States Code, Section 922(a)(1)(A).

BACKGROUND – STATUTES, RULES, AND INVESTIGATION

3. Title 18, United States Code, Section 922(g)(9), states that it is unlawful for any person, “who has been convicted in any court of a misdemeanor crime of domestic violence,” to “[...] to possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.”

4. The term “misdemeanor crime of domestic violence,” as defined in Title 18, United States Code, Section 921(a)(33)(A), “means an offense that (i) is a misdemeanor under Federal,

State, or Tribal law; and (ii) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim, or by a person who has a current or recent former dating relationship with the victim.”

5. The information in this affidavit is based on my experience, training, personal observations, knowledge, and information provided by other law enforcement officers and individuals. The information in this affidavit is provided for the limited purpose of establishing probable cause to search the following below described property and to seize the items identified in Attachment B:

- a. The residence of JASON WALTER WEBNER (WEBNER), 4180 Green Circle, Sedalia, Pettis County, Missouri, in the Western District of Missouri, a beige in color single-family structure with white trim, with the numbers 4180 displayed on the front of the residence, more fully described in Attachment A. According to the Pettis County assessor’s office, this property is owned by “Webner, Angel”. According to the City of Sedalia, WEBNER has been the account holder for water service at this property since 2018 (hereinafter referred to as the SUBJECT PROPERTY);
- b. A black 2021 Chevrolet Tahoe sport utility vehicle with Missouri vehicle license RB3T2T, registered to WEBNER Jason and Angel TOD Webner Dorot*, 4180 Green Circle, Sedalia, Missouri, and more fully described in Attachment A, (hereinafter referred to as the SUBJECT VEHICLE).

6. The information contained in this affidavit is not a complete statement of all the facts related to this investigation and is intended to show merely that there is sufficient probable cause for the requested warrant.

7. Jason Walter WEBNER is currently under investigation for possessing firearms after having been convicted of a misdemeanor crime of domestic violence. WEBNER was convicted of domestic assault, third degree in 2011 in Pettis County, Missouri.

INVESTIGATION OF WEBNER

WEBNER Misdemeanor Crime of Domestic Violence Conviction

8. On July 18, 2011, WEBNER plead guilty to domestic assault, third degree, 1st/2nd offense, a misdemeanor, in Pettis County, Missouri. The victim of the domestic assault was WEBNER's girlfriend, who cohabitated with WEBNER at the time of the assault.

WEBNER Residence

9. Information obtained from the Pettis County, Missouri, assessor's office identifies WEBNER's wife, Angel Webner, as the owner of the residence located at 4180 Green Circle, Sedalia, Pettis County, Missouri. Information received from the City of Sedalia, Missouri, identifies WEBNER as the account holder for water service at 4180 Green Circle. Information obtained from the Missouri Department of Revenue lists 4180 Green Circle as the residence address for both WEBNER and Angel Webner. Additional information obtained from the Missouri Department of Revenue lists 4180 Green Circle as the registered address of the SUBJECT VEHICLE, which is registered to WEBNER and WEBNER's wife, Angel Webner. Information obtained from the Missouri Secretary of State Corporations Division lists WEBNER as the owner of a business that is located at 4180 Green Circle. The fictitious name for this business was registered with the Missouri Secretary of State at 4180 Green Circle on March 4, 2024.

WEBNER Facebook Account

10. On September 27, 2024, affiant located a Facebook account with the vanity name of “Jason Webner” and an account number of 107323430715807. The public profile for this account states “Lives in Sedalia, Missouri”, and “Married to Angel Webner”. Through my training and experience, I know these are fields that are populated by the user of the account and are optional fields. Multiple photographs posted to the account are of WEBNER and WEBNER’s wife, Angel Webner.

11. A review of the “Check-Ins” section of the account revealed that between October 23, 2023, and August 23, 2024, the account user had checked in on fourteen (14) occasions at Base Outfitters & Range (Base Outfitters), a federally licensed firearms dealer and indoor shooting range located at 801 Deerbrook Drive, Knob Noster, Johnson County, Missouri.

12. On December 30, 2023, one (1) photograph of three (3) suspected firearms was posted to the account. This posting contained the caption “Getting in reps..”. The photograph appeared to capture a Beretta model APX pistol, a Sig Sauer model P365 pistol and a Smith & Wesson model M&P Shield EZ pistol. The photograph appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

13. On April 26, 2024, one (1) photograph of two (2) suspected firearms was posted to the account. This posting contained the caption “Getting in reps.. 300 Blackout”. The photograph appeared to capture a Beretta model APX pistol and a Palmetto State Armory model PA-15, .300 caliber firearm. The photograph appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

14. May 10, 2024, three (3) photographs of two (2) suspected firearms were posted to the account. The photographs appeared to capture a Panzer Arms model BP12, 12-gauge shotgun

and a Sig Sauer model P365 pistol. The photographs appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

15. On May 31, 2024, six (6) photographs of two (2) suspected firearms were posted to the account. The photographs appeared to capture an AR-15 type rifle and a Smith & Wesson model M&P Shield EZ pistol. The photographs appeared to have been taken at the Base Outfitters shooting range.

16. On June 21, 2024, one (1) photograph of two (2) suspected firearms was posted to the account. This posting contained the caption “5-25x56 on a 6.5 Creed”. The photograph appeared to capture a Palmetto State Armory AR-10 type rifle and a Sig Sauer model P365 pistol. The photograph appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

17. On June 28, 2024, six (6) photographs of two (2) suspected firearms were posted to the account. The photographs appeared to capture a Palmetto State Armory AR-10 type rifle and a Beretta model APX pistol. The photographs appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

18. On July 3, 2024, three (3) photographs of two (2) suspected firearms were posted to the account. The photographs appeared to capture a Glock pistol and a Ruger model PC Carbine, 9mm caliber rifle. The photographs appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

19. On July 12, 2024, three (3) photographs of a suspected Glock pistol were posted to the account. The photographs appeared to have been taken at the Base Outfitters shooting range.

20. On July 19, 2024, four (4) photographs of two (2) suspected firearms were posted to the account. The photographs appeared to capture a Glock pistol, and a Palmetto State Armory

AR-15 type Short-Barreled Rifle (SBR). The photographs appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

21. On July 27, 2024, four (4) photographs of two (2) suspected firearms were posted to the account. The photographs appeared to capture a Glock pistol, and an AK-47 type rifle. The photographs appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

22. On July 28, 2024, one (1) photograph of a suspected Palmetto State Armory model PA-15 SBR bearing serial number SCB751242 was posted to the account. This firearm was consistent in appearance with the suspected SBR that was captured in the photograph posted to the account on July 19, 2024. The photograph appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

23. On August 2, 2024, two (2) photographs of two (2) suspected firearms were posted to the account. The photographs appeared to capture a Sig Sauer model P365 pistol and a Smith & Wesson model M&P Shield EZ pistol. The photographs appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

24. On August 11, 2024, two (2) photographs of two (2) suspected firearms were posted to the account. The photographs appeared to capture a Glock pistol and a Winchester model 70 rifle. The photographs appeared to have been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

25. On August 23, 2024, five (5) photographs of three (3) suspected firearms were posted to the account. The photographs appeared to capture a Beretta model APX pistol, a Sig Sauer model P365 pistol and a Remington model 870 shotgun. The photograph appeared to have

been taken at the Base Outfitters shooting range. The user of the account also checked in at Base Outfitters on this date.

Base Outfitters Shooting Range Surveillance Videos

26. On October 10, 2024, affiant recovered copies of video surveillance recordings captured at the Base Outfitters shooting range. These video recordings captured WEBNER shooting firearms at the Base Outfitters range on three (3) separate occasions.

27. On July 19, 2024, video recordings taken at the Base Outfitters shooting range captured WEBNER discharging a firearm that was consistent in appearance with the suspected Palmetto State Armory model PA-15 SBR bearing serial number SCB751242, that was captured in photographs posted to the WEBNER's Facebook account on July 19, 2024, and July 28, 2024. The video recordings also appeared to capture WEBNER in possession of a Glock pistol, which was consistent in appearance with the suspected Glock pistol that was captured in photographs posted to the WEBNER's Facebook account on July 19, 2024. The video recordings also appeared to capture WEBNER utilizing a cell phone to take a photograph of the suspected firearms. The manner in which the suspected firearms were arrayed, the background of the photograph in relation to the suspected firearms, and the location and orientation of the cell phone, appeared to be consistent with WEBNER having taken the photograph of the suspected SBR and suspected Glock pistol that was posted to the WEBNER's Facebook account on July 19, 2024. The video recordings captured WEBNER arrive at the shooting range with the suspected firearms, and depart the shooting range with the suspected firearms.

28. On July 27, 2024, video recordings taken at the Base Outfitters shooting range captured WEBNER discharging a firearm consistent in appearance with the suspected AK-47 type rifle that was captured in the photographs posted to the WEBNER's Facebook account on July 27,

2024. The video recordings also captured WEBNER discharging a firearm that was consistent in appearance with the suspected Palmetto State Armory model PA-15 SBR bearing serial number SCB751242, that was captured in photographs posted to the WEBNER's Facebook account on July 19, 2024, and July 28, 2024. The video recordings appeared to capture WEBNER utilizing a cell phone to take a photographs of the suspected AK-47 type rifle. The manner in which the suspected firearm was arrayed, the background of the photograph in relation to the suspected firearm, and the location and orientation of the cell phone, appeared to be consistent with WEBNER having taken the photograph of the suspected AK-47 type rifle that was posted to the WEBNER's Facebook account on July 27, 2024.

29. On August 10, 2024, video recordings taken at the Base Outfitters shooting range captured WEBNER discharging a firearm consistent in appearance with the suspected Winchester model 70 rifle that was captured in a photograph posted to the WEBNER's Facebook account on August 11, 2024. The video recordings appeared to capture WEBNER utilizing a cell phone to take a photograph of the suspected Winchester model 70 rifle. The manner in which the suspected firearm was arrayed, the background of the photograph in relation to the suspected firearm, and the location and orientation of the cell phone, appeared to be consistent with WEBNER having taken the photograph of the suspected Winchester model 70 rifle that was posted to the WEBNER's Facebook account on August 11, 2024.

Angel Webner Firearm Transfers

30. On September 30, 2024, affiant reviewed copies of ATF forms 4473 for firearms that were transferred to Angel Webner by Osage Gun & Pawn (Osage Gun), a federally licensed firearms dealer located in Sedalia, Pettis County, Missouri. These documents revealed that between June 28, 2024, and September 3, 2024, Osage Gun & Pawn transferred ten (10) firearms

to Angel Webner. Angel Webner certified nine (9) ATF forms 4473 for the transfer of these firearms. On each of the ATF forms 4473 that were certified by Angel Webner, Angel Webner listed her residence address as 4180 Green Circle, Sedalia, Pettis County, Missouri. All of the firearms that were transferred from Osage Gun to Angel Webner had been shipped to Osage Gun from Palmetto State Armory, a licensed firearms manufacturer and dealer, which was located in the state of South Carolina. Having been shipped from the state of South Carolina to the state of Missouri, these firearms would have traveled in interstate commerce.

31. On June 28, 2023, Angel Webner received a Panzer Arms model BP12, 12 gauge shotgun bearing serial number BP-2300854, and a Palmetto State Armory model PA-15, 5.56mm caliber rifle bearing serial number SCB715432 from Osage Gun & Pawn.

32. On October 5, 2023, Angel Webner received a Smith & Wesson model M&P 15-22, .22 caliber rifle bearing serial number LBN2686 from Osage Gun & Pawn.

33. On November 3, 2023, Angel Webner received a Palmetto State Armory model G3-10, 6.5mm caliber rifle bearing serial number LJ006119 from Osage Gun & Pawn.

34. On December 30, 2023, Angel Webner received a Beretta model APX, 9mm caliber pistol bearing serial number AXC128677 from Osage Gun & Pawn.

35. On February 2, 2024, Angel Webner received a Palmetto State Armory model PA-15, .300 caliber pistol bearing serial number DCSF106082 from Osage Gun & Pawn.

36. On July 2, 2024, Angel Webner received a Glock model 19, 9mm caliber pistol bearing serial number AKDW477 from Osage Gun & Pawn.

37. On July 12, 2024, Angel Webner received a Palmetto State Armory model PA-15, multi caliber firearm receiver bearing serial number SCB751242 from Osage Gun & Pawn.

38. On July 24, 2024, Angel Webner received a Soviet Arms model PSAK-47, 7.62mm caliber rifle bearing serial number SA47017831 from Osage Gun & Pawn.

39. On September 3, 2024, Angel Webner received a Palmetto State Armory model PA-15, multi caliber firearm receiver bearing serial number SCNL225452.

Surveillance of WEBNER

40. At approximately 1440 hours on November 23, 2024, John Cannon, an employee of Base Outfitters, reported to affiant that WEBNER was in possession of at least one (1) firearm at the Base Outfitters shooting range. Cannon advised affiant that WEBNER had arrived at Base Outfitters in the SUBJECT VEHICLE.

41. On November 23, 2024, law enforcement officers, including the undersigned, conducted surveillance of WEBNER and the SUBJECT VEHICLE from Base Outfitters, which was located at 801 Deerbrook Drive, Knob Noster, Johnson County, Missouri.

42. At approximately 1524 hours, Knob Noster Police Department Officer Logan Simmons and Base Outfitters employee Dale McCain observed WEBNER exit the Base Outfitters business premises with a firearm case, place the firearm case in the SUBJECT VEHICLE, and enter the SUBJECT VEHICLE. Officer Simmons and McCain then observed the SUBJECT VEHICLE depart the Base Outfitters parking lot and travel north on Deerbrook Drive, west on West McPherson Street and north on Missouri Route 23.

43. At approximately 1529 hours, Lisa Uptegrove, an employee of Base Outfitters, observed the SUBJECT VEHICLE travel north on Missouri Route 23 and east on U.S. Route 50.

44. At approximately 1530 hours, affiant observed WEBNER in the SUBJECT VEHICLE traveling east on U.S. Route 50. WEBNER was the sole occupant of the SUBJECT VEHICLE. WEBNER traveled east on U.S. Route 50, south on Curry Drive and east on Leroy

Vandyke Avenue. WEBNER stopped briefly at an Aldi supermarket, which was located at 3701 West Broadway Boulevard, Sedalia, Pettis County, Missouri, before continuing south on Mitchell Road, east on West 10th Street, south on Winchester Drive, west on West 16th Street, and north on North Hedge Apple Drive.

45. At approximately 1556 hours, Pettis County Sheriff's Office Deputy Travis Lorenz observed the SUBJECT VEHICLE travel north on North Hedge Apple Drive, east on Green Circle, and north from Green Circle into the driveway of the SUBJECT PROPERTY.

46. At approximately 1557 hours, affiant observed the SUBJECT VEHICLE pull into the garage of the SUBJECT PROPERTY. After the SUBJECT VEHICLE was parked in the garage of the SUBJECT PROPERTY, affiant observed WEBNER exit and reenter the SUBJECT PROPERTY multiple times. Affiant did not observe WEBNER, nor any other person, exit the SUBJECT RESIDENCE with a firearm or firearm case. The SUBJECT VEHICLE remained inside the garage of the SUBJECT PROPERTY until the surveillance was discontinued at approximately 1830 hours.

Additional Findings after Surveillance of WEBNER

47. On November 24, 2024, affiant conducted an additional review of the "Jason Webner" Facebook account. Three (3) photographs were posted to the account on November 23, 2024. The photographs appeared to have been taken at the Base Outfitters shooting range. Two (2) of the photographs appeared to capture firearms that were consistent in appearance with an AR-15 type SBR and a Sig Sauer model P365 pistol. The post contained the caption "50 yard zero groups with a red dot and 7.5" barrel looks a little different".

48. On November 27, 2024, affiant recovered copies of video surveillance recordings that were taken at the Base Outfitters business premises and shooting range on November 23, 2024.

These video surveillance recordings appeared to capture WEBNER discharging a firearm consistent in appearance with an AR-15 type SBR and possessing a firearm consistent in appearance with a Sig Sauer model P365 pistol. The suspected firearms captured in the video recordings were consistent in appearance with the suspected firearms captured in the photographs that were posted to WEBNER's Facebook account on November 23, 2024. The video recordings captured WEBNER transporting both of the suspected firearms in a black firearm case, which WEBNER brought into and out of the Base Outfitters shooting range.

CONCLUSION

49. Based on the investigation and observations of the affiant and other investigators, the evidence shows that WEBNER had been in possession of firearms that were shipped in interstate commerce, after having been convicted of a misdemeanor crime of domestic violence. This includes video recordings of WEBNER discharging firearms at a shooting range, and photographs of the firearms that were posted to the WEBNER's Facebook account. WEBNER was observed by affiant and other law enforcement officers transporting firearms to the SUBJECT RESIDENCE.

50. Between June 28, 2023, and September 3, 2024, WEBNER's wife, Angel Webner, received ten (10) firearms, which had been shipped in interstate commerce, from a federally licensed firearms dealer in Sedalia, Pettis County, Missouri. Photographs and/or descriptions of suspected firearms that were posted to WEBNER's Facebook account were consistent with eight (8) of the firearms that were transferred to Angel Webner. One (1) of the photographs posted to the WEBNER's Facebook account appeared to capture a firearm with the same manufacturer's markings on the firearm's receiver, to include the serial number, as a firearm receiver that had been transferred to Angel Webner.

51. Video recordings taken at the Base Outfitters shooting range appeared to capture WEBNER arriving at the shooting range with firearms, discharging firearms at the shooting range, and departing the range with firearms on four (4) occasions.

52. In my experience as an ATF SA, persons who possess firearms frequently store the firearms in their residences and/or vehicles, and frequently keep firearms on their person. Firearms, unlike many other types of items, are often kept secure because of their value. Also in my experience, persons who possess firearms maintain certain documents and records pertaining to firearms acquisitions and dispositions, such as owner's manuals, receipts, and other documents of ownership of firearms, in their homes and/or vehicles for safekeeping, even if they are attempting to circumvent the Federal firearms laws. These documents and records, as well as supporting documents relating to purchases, sales, and inventories, such as receipts, invoices, and photographs, are frequently retained, even if they are evidence of violations of Federal firearms laws.

53. Video recordings taken at the Base Outfitters shooting range on three (3) occasions appeared to capture WEBNER taking photographs of the firearms that WEBNER possessed. The manner in which the photographs appeared to be taken were consistent with the photographs of suspected firearms that were posted to WEBNER's Facebook account, indicating that WEBNER utilized a cell phone to take photographs of the firearms that WEBNER possessed, and then posted those photographs to his account.

54. Based on the forgoing information, I believe that WEBNER is in possession of firearms that have traveled in interstate commerce after having been convicted of a misdemeanor crime of domestic violence in violation of Title 18, United States Code, Section 922(g)(9). I also believe that evidence of such crimes is concealed within the SUBJECT PROPERTY (to include

the residence, outbuildings, safes, and electronic devices) located at 4180 Green Circle, Sedalia, Pettis County, Missouri, in the Western District of Missouri, and the SUBJECT VEHICLE. I believe that the search of the SUBJECT PROPERTY and the SUBJECT VEHICLE will result in the discovery of items that constitute evidence and instrumentalities of this violation, specifically the items listed in Attachment B.

REQUEST FOR SEALING

55. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may give targets an opportunity to flee from prosecution, destroy or tamper with evidence, change patterns of behavior, notify co-conspirators, or otherwise jeopardize the investigation.

Further, Affiant sayeth not.

 Digitally signed by ROBERT MILLIER
Date: 2024.12.09 11:16:08 -06'0

Robert Millier
Special Agent
Bureau of Alcohol, Tobacco, Firearms & Explosives

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 41 by telephone on this, the 9th day of December 2024.



Willie J. Epps, Jr.
Chief United States Magistrate Judge